

MAGISTRATE JUDGE NEWBERN COURTROOM MINUTES FOR CRIMINAL PROCEEDINGS
by VIDEOCONFERENCE

U.S.A. v. Riccardo Paolo Spagni, No. 3:21-mj-4149

ATTORNEY FOR GOVERNMENT:

Joe Montminy

AFPD Panel

Retained

ATTORNEY FOR DEFENDANT:

Jonathan Farmer, Melissa Meister
Henry Leventis, Brian Islein,

PRETRIAL SERVICES/PROBATION OFFICER:

Andrea Testa

INTERPRETER NEEDED? YES NO

LANGUAGE/INTERPRETER: _____

PRESENT

ON TELEPHONE

status conference

Defendant consents to Initial App. and All future hearings before the Magistrate Judge by video conference.

INITIAL APPEARANCE ON A SUMMONS ARRESTED ON: _____

DEFENDANT HAS A COPY OF:

Complaint Indictment Information Supervised Release Pet. Other _____
 Defendant advised of the charges and the maximum penalties Defendant has a copy of notice of rights
 Defendant advised of right to counsel Counsel retained
 Defendant sworn and/or certified under penalty of perjury and financial affidavit filed FPD Appointed
 Defendant advised of right to silence
 Defendant advised of right to **Consular notification**
 GOVERNMENT and DEFENDANT advised of Due Process Protections Act of 2020
 Defendant advised of right to preliminary hearing Defendant waived preliminary hearing
 Government motion for detention Defendant temporarily detained
 Defendant waived detention hearing ICE detainer on defendant
 Defendant reserved right to hearing in future Defendant to be returned to State custody
 Defendant to remain in Federal custody Defendant waived rights under IAD
 Defendant remain on current conditions of supervised release
 Defendant ordered to psychological/psychiatric evaluation
 Defendant released on:

Own recognizance with conditions of release standard special

Appearance bond in the amount of: _____

Property bond [description of property]: _____

RULE 5 - Defendant advised of right to identity hearing Defendant waived identity hearing

RULE 5 - Defendant reserved right to have preliminary hearing in District of Prosecution

RULE 5 - Defendant elected to have detention hearing in District of Prosecution

RULE 5 - DEFENDANT ADVISED OF RIGHT TO RULE 20 TRANSFER

PRELIMINARY/DETENTION/ARRAIGNMENT CONTINUED TO: _____

GRAND JURY WAIVED IN OPEN COURT [Defendant sworn and advised of rights by Court]

ARRAIGNMENT

Defendant acknowledges he/she has copy of Indictment/Information Court advised Def. of penalties

Defendant waives reading thereof Indictment/Information read to defendant by Judge

PLEA: GUILTY NOT GUILTY Defendant intends to plead guilty and case referred to DJ

DATE: 9/20/21

TOTAL TIME: 40min

BEGIN TIME: 12:02 p.m.

END TIME: 12:42 p.m.

Digitally Recorded

RULE 5 IDENTITY HEARING

- Held, defendant found to be person named in warrant
- Held, defendant found NOT to be person named in warrant and released
- Waived in open Court

PRELIMINARY HEARING

CONTINUED TO: _____

- Probable Cause found/Held to answer/bound over Discharged from custody
- Defendant waived preliminary hearing
- RULE 5 - Held to answer in District of Prosecution
- RULE 5 - Defendant reserved right to have hearing in District of Prosecution

DETENTION HEARING

CONTINUED TO: _____

- Government withdrew motion for detention or agreed to release
- Pretrial Services Report made a part of the record Counsel moved to retain copy of PTSR/granted
- Bond set at: _____ Defendant released on [date]: _____
- RULE 5 - Defendant elected to have hearing in District of Prosecution
- Defendant waived detention hearing Defendant reserved right to hearing in future
- Defendant detained, order to enter ICE detainer pending
- Defendant to remain in Federal custody Defendant to be returned to State custody
- Government moved for stay of execution of release pending appeal
 - Motion granted Motion denied
- Defendant advised of right to appeal

ARRAIGNMENT ON MISDEMEANOR

- Defendant acknowledges he/she has copy of Indictment/Information
- Indictment/Information read to defendant by Judge Defendant waives reading thereof

PLEA: **GUILTY** **NOT GUILTY**

- Misdemeanor - defendant consented to trial before Magistrate Judge
- Written plea agreement/filed in open Court Oral plea agreement
- Guilty plea: Accepted Rejected Taken under advisement

OTHER

- Type of hearing and outcome: status conference; Mr. Spagni is to be released on conditions on 9/20/21.

DEFENDANT DID NOT APPEAR AS DIRECTED, BENCH WARRANT ISSUED

NOTES/EVIDENTIARY MATTERS/SENTENCING:

(Witnesses, Exhibits, Attach W/Ex List if necessary)